

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON, OHIO

ELWOOD H. JONES

Petitioner

Case No. 1:01-cv-564

v.

District Judge Thomas M. Rose  
Chief Magistrate Judge Michael R. Merz

MARGARET BAGLEY, Warden,

Respondent.

**Elwood H. Jones's Motion for Leave to File  
and Amended and Corrected Traverse**

Elwood H. Jones moves this Court for an order allowing him to file the attached Amended and Corrected Traverse.

**Elwood H. Jones's Memorandum in Support of  
Motion for Leave to File and Amended and  
Corrected Traverse**

There was a failure of communication between Mr. Jones' counsel yesterday afternoon. The Traverse was filed without the final corrections being made. The Traverse is not actually due until next Monday. Counsel for Mr. Jones has discussed this matter with Counsel for the Government and the Government does not oppose this motion.

Thus, this Court should grant the motion for leave to file an Amended and Corrected Traverse.

**s/Michael L. Monta**

MICHAEL L. MONTA (0032777)  
Trial Counsel  
3625 Old Salem Road  
Dayton, Ohio 45415-1427  
(937) 890-6921

**s/ Gary W. Crim**

GARY W. CRIM (0020252)  
943 Manhattan Avenue  
Dayton, Ohio 45406-5141  
(937) 276-5770

Attorneys for Elwood H. Jones

**Certificate of Service**

I, Gary W. Crim, counsel for Elwood H. Jones, certify that on September 7, 2006, I served a copy of this Motion for Leave to File and Amended and Corrected Traverse on Counsel for the Warden, Matthew C Hellman and Heather L. Gosselin, by emailing it to [mhellman@ag.state.oh.us](mailto:mhellman@ag.state.oh.us) and [hgosselin@ag.state.oh.us](mailto:hgosselin@ag.state.oh.us).

**s/ Gary W. Crim**

GARY W. CRIM